

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD ROY SCOTT

Plaintiff,

vs.

SPECIAL COMMITMENT CENTER,

Defendant.

Case No. C06-5359RBL

ORDER DENYING PLAINTIFF'S
"APPEAL"

This matter is before the court on the plaintiff's appeal [Dkt. #10] of Magistrate J. Kelley Arnold's Order directing him to amend his complaint [Dkt. #7]. Plaintiff apparently argues that the order "ignores 50 years of case law" and "is not proper." It is not clear to what the plaintiff refers, but it is clear that his initial complaint did not name a person as a defendant in his §1983 claim. For this and other reasons articulated in the Order, the complaint was defective and the appeal of that order is DENIED.

Since his appeal, Plaintiff has sought to add a named person as a defendant in an amended complaint. [Dkt. #12]. He did so only after the Magistrate Judge entered a Report and Recommendation that his Complaint be dismissed as a sanction for failing to comply with the court's prior Order directing him to file an amended complaint. He instead said that he "stands by his complaint."

This is a familiar pattern for Mr. Scott, who repeatedly and wastefully does what he is directed to do only after the given deadline has passed.

For that reason, the Court will delay ruling on the Report and Recommendation and Order Mr. Scott

1 to SHOW CAUSE IN WRITING why he could not and did not timely comply with the Court's Order [Dkt.
2 #7] and why the Magistrate Judge's R&R should not be adopted and the complaint dismissed. He will do so
3 by December 11, 2006, or this matter will be dismissed with prejudice.
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5 Dated this 1st day of December, 2006.

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8 RONALD B. LEIGHTON
9 UNITED STATES DISTRICT JUDGE
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